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14 Attorneys for Plaintiff(s)
15 CANDI A. EBY

16 **IN THE UNITED STATES DISTRICT COURT FOR THE**
17 **EASTERN DISTRICT OF CALIFORNIA**
18 **SACRAMENTO DIVISION**

19 CANDI A. EBY,

20 Plaintiff(s),

21 vs.

22 CALIFORNIA DEPARTMENT OF
23 THE YOUTH AUTHORITY, JERRY
24 HARPER, EEO Director, YSUS ALI,
25 et al.,

26 Defendant(s).

27) **CIV S 05-106 GEB DAD**

28) **PLAINTIFF'S STIPULATION TO DISMISS**
) **DEFENDANT YSUS ALI AND ALL CLAIMS**
) **ARISING OUT OF THE FAMILY MEDICAL**
) **LEAVE.**

29 WHEREAS, Defendant, YSUS ALI, hereby waives fees and costs in return for Plaintiff's
30 dismissal with prejudice of Defendant ALI, as to all claims, and all defendants waive fees and
31 costs as to any and all claims against any Defendant arising out of the Family Medical Leave Act,
32 in return for Plaintiff's dismissal with prejudice thereof.

33 Dated: 12/29/05

34 Law Offices of Mark J. Alexander

35 /s/ Mark J. Alexander
36 Mark J. Alexander, Attorney for Plaintiff
37 Candi A. Eby

38 ///

1 Dated: 12/29/05

Office of the Attorney General

2
3 /s/ Susan E. Slager

4 By: Susan E. Slager, Deputy Attorney General
Attorneys for Defendant, Ysus Ali

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6 *****ORDER*****

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8 IT IS HEREBY STIPULATED by and between the parties hereto, that:

- 9 1. Defendant ALI is dismissed with prejudice; and
10 2. The FMLA claim is dismissed with prejudice as to all parties.
11 3. Ali's pending motion for judgment on the pleadings is withdrawn as moot.

12 IT IS SO ORDERED.

13 Dated: January 3, 2006

14 /s/ Garland E. Burrell, Jr.
15 GARLAND E. BURRELL, JR.
16 United States District Judge
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23 **PROOF OF SERVICE**

24 I am employed in the County of Stanislaus. I am over the age of eighteen years and not a
25 party to the above-entitled cause. My business address is 1500 J Street in Modesto, California
95354.

26 On **December 29, 2005**, I served the following document(s):

27 ● **PLAINTIFF'S OPPOSITION**

28 **[X] BY FACSIMILE TRANSMISSION** at approximately _____ a.m./p.m., by use of

1 facsimile machine telephone number (209) 577-1647 in accordance with Code of Civil
2 Procedure Section 1013(e) and California Rules of Court 2008(e), to the following party(s)
3 at the facsimile number(s) indicated. This transmission was reported as complete and
without error, and a copy of the transmissions report which was issued by the transmitting
facsimile machine is attached to the original or true copy thereof.

4 [X] **BY E-FILING** the above noted individuals are registered with the Court to receive notice
5 of electronically filed documents. Per ECF rules, hard copies must be served only on
parties who are not set up for electronic notification.

6 ***VIA FIRST CLASS MAIL***

7 Bill Lockyer
8 Jacob A. Appelsmith
9 James E. McFetridge
10 Susan Slager
11 P.O. Box 944255
12 Sacramento, CA 94244-2550
13 Phone: (916) 327-7876
14 Fax: (916) 324-5567

15
16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct. Executed this **December 29, 2005**, at Modesto, California.

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/s/ Odilia Coelho
Odilia Coelho